

PLANNING COMMISSION

April 27, 2022

Action Minutes

WELCOME

ROLL CALL

PRESENT: Commissioners Bonilla, Casey, Caballero, Cantrell, Garcia, Lardinois, Montañez, Oliverio, Ornelas-Wise, Young

ABSENT: Commissioner Torrens

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at: 6:30 p.m.

2. PUBLIC COMMENT

Public comments to the Planning Commission on non-agendized items. Please use the ‘raise hand’ feature in Zoom or click *9 to raise a hand to speak or contact 408-535-3505 to request to speak. Each member of the public may address the Commission for up to two minutes. The commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Planning Commission is limited to the following options:

- Responding to statements made or questions posed by members of the public; or
- Requesting staff to report back on a matter at a subsequent meeting; or
- Directing staff to place the item on a future agenda.

JILL BORDERS COMMENTED ABOUT GENERAL PLAN PROCESS AND CHANGES.

Access the video, agenda, and related reports for this meeting by visiting the City’s website at:
<https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/commissions-and-hearings/planning-commission>

3. DEFERRALS AND REMOVALS FROM CALENDAR

No Items

4. CONSENT CALENDAR

ACTION: COMMISSIONER MONTAÑEZ MADE A MOTION TO APPROVE CONSENT CALENDAR ITEMS 4.A. & 4.C.

COMMISSIONER CABALLERO SECONDED THE MOTION (10-0-1; TORRENS ABSENT)

ACTION: COMMISSIONER YOUNG MADE A MOTION TO APPROVE CONSENT CALENDAR ITEM 4.B.

COMMISSIONER CANTRELL SECONDED THE MOTION (8-0-1-2; TORRENS ABSENT, CABALLERO & MONTAÑEZ ABSTAINED)

- a. Review and Approve Action Minutes from [March 23, 2022](#). *Deferred from 4/13/2022*
- b. Review and Approve Action Minutes from [April 13, 2022](#).
- c. [CP21-012](#). Conditional Use Permit and Determination of Public Convenience or Necessity to allow the off-sale of alcohol (Type 21 ABC License – Full Range of Alcoholic Beverages) at an existing 124,320-square foot retail store (Target) on an approximately 11.5-gross acre site located at 450 North Capitol Avenue (Capitol Square Partners, Owner). Council District 5. CEQA: Exempt pursuant to CEQA Guidelines Section 15301(a) for Existing Facilities. *Dropped to be renoticed from 3/23/22.*
PROJECT MANAGER, ALEC ATIENZA
 1. **CONSIDER THE EXEMPTION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15301(A) FOR EXISTING FACILITIES.**
 2. **ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT AND DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY TO ALLOW THE OFF-SALE OF ALCOHOL (TYPE 21 ABC LICENSE – FULL RANGE OF ALCOHOLIC BEVERAGES) AT AN EXISTING 124,320-SQUARE FOOT RETAIL STORE (TARGET) ON AN APPROXIMATELY 11.5-GROSS ACRE SITE.**

5. PUBLIC HEARING

No Items

6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

No items

7. GOOD AND WELFARE

- a. Report from City Council
The Commission Secretary reported on City Council actions taken on April 19, 2022 and April 26, 2022.
- b. Subcommittee Formation, Reports, and Outstanding Business
No items
- c. Commission Calendar and Study Sessions
 - i. The 2022/2023 Capital Budget & 2023/2027 Capital Improvement Program Study Session is scheduled for May 11, 2022.
- d. The Public Record
No items

8. ADJOURNMENT

Meeting adjourned at 6:42 p.m.